

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALLEN HAMMLER,

Plaintiff,

v.

ZYDUS PHARMACY, et al.,

Defendants.

No. 1:21-cv-00343-NONE-JLT (PC)

ORDER DISMISSING ACTION FOR
FAILURE TO PAY FILING FEE

Plaintiff Allen Hammler is a state prisoner proceeding *pro se* in this civil rights action brought under 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 20, 2021, the court issued an order denying plaintiff's motion to proceed *in forma pauperis* and ordering plaintiff to pay the filing fee within 30 days. (Doc. No. 14.) The court cautioned plaintiff that "[f]ailure to pay the filing fee within the time provided will result in dismissal of this action." (*Id.* at 3.)

On August 23, 2021, plaintiff filed a motion for reconsideration of the order denying *in forma pauperis* status. (Doc. No. 15.) The court denied the motion on September 17, 2021. (Doc. No. 18.)

To date, plaintiff has not paid the filing fee as directed by the court in its July 20, 2021 order. The time to do so has passed and it has been more than thirty days since the court denied

1 plaintiff's motion for reconsideration.

2 Accordingly,

- 3 1. This action is dismissed for failure to pay the filing fee and failure to obey a court
4 order; and,
5 2. The Clerk of the Court is directed to assign a district judge to this action for
6 purposes of closure and to close this case.

7
8 IT IS SO ORDERED.

9 Dated: October 18, 2021


UNITED STATES DISTRICT JUDGE